



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,176	04/15/2004	Yi-Ming Chen	084261-000000US	9789

31561	7590	03/02/2007
JIANQ CHYUN INTELLECTUAL PROPERTY OFFICE		
7 FLOOR-1, NO. 100		
ROOSEVELT ROAD, SECTION 2		
TAIPEI, 100		
TAIWAN		

EXAMINER	
KIANNI, KAVEH C	

ART UNIT	PAPER NUMBER
2883	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
30 DAYS	03/02/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Notice of Not Fully Responsive Reply for Applications Under Accelerated Examination	Application No. 10/826,176	Applicant(s) CHEN ET AL.	
	Examiner Kianni C. Kaveh	Art Unit 2883	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

This application has been granted special status under the accelerated examination program.

The reply filed 13 December 2006 is not fully responsive to the prior **non-final Office** action because of the following reason(s):

1. ☐ The reply includes an amendment that attempts to add claims which would result in more than three (3) independent claims, or more than twenty (20) total claims.
2. ☐ The reply includes an amendment that attempts to present claims not encompassed by the preexamination search.
3. ☐ The reply includes an amendment that attempts to present claims not encompassed by the accelerated examination support document and an updated accelerated examination support document was not submitted with the amendment.
4. ☒ The reply includes an amendment that attempts to present claims that are directed to a nonelected invention or an invention other than previously claimed in the application.
5. ☐ The reply includes arguments or other items that are not limited to the rejections, objections, and requirements made, such as _____ on page _____ of the reply.
6. ☒ Other (including any explanation in support of the above items): See attachment.

The reply has not been entered. Since the above-identified reply appears to be *bona fide*, applicant is give a time period of **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid **ABANDONMENT**. **NO EXTENSIONS OF TIME** under 37 CFR 1.136(a) will be permitted.

Reasons for Non-Responsive Amendment

The Newly submitted claims 1, 3-4 and 8-9 are directed to an invention that is independent or distinct from the invention originally claimed for the following reasons:

This application contains claims directed to the following patentably distinct species of the claimed invention: attachment

Originally elected/submitted claims 1-20 are directed to including at least a driver IC connected on the substrate, wherein the driver IC has multiple second terminals corresponding to the metal pads; a circuit board connected on the substrate, wherein the circuit board has multiple third terminals corresponding to the metal pads; and a cover covering the substrate, the at least one optical active component, the driver IC and the circuit board.

While the newly submitted/amended claims 21-25 are directed to at least *a second set of alignment keys corresponding to the first set of alignment keys of the substrate; and a pair of guide rods, protruding from the substrate for inserting to a fixing positions.*

Thus, the species are independent or distinct because each of the above group inventions, as described above, has limitation(s) that is directed toward an invention that would require a different search than that of other group inventions.

If both group claims originally filed claims and the newly submitted claims were presented in the application Applicant would have been required under 35 U.S.C. 121 to elect a single disclosed species for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held to be allowable. Currently, none of the claims are generic.

Since applicant has received an action on the merits for the originally presented invention claims, the newly submitted claims are not readable on the elected invention because of the stated reason above .

Since the above-mentioned amendment appears to be a *bona fide* attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

Response to Arguments and Amendment.

In light of non-responsive amendment, as stated above, Applicant's arguments are for now moot.

Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kianni C. Kaveh whose telephone number is 571-272-2417. The examiner can normally be reached on 9:30-19:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Frank Font can be reached on 571-272-2415. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

K. Cyrus Kianni
Primary Patent Examiner
Group Art Unit 2883



K. CYRUS KIANNI
PRIMARY PATENT EXAMINER

February 20, 2007